

AMENDED IN ASSEMBLY MARCH 24, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 481

Introduced by Assembly Member Diaz

February 14, 2003

An act to amend Sections 52241, 52242, 52244, and 52922 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 481, as amended, Diaz. International Baccalaureate Programs.

Existing law establishes a pilot grant program that awards grants to cover the costs of advanced placement examination fees.

This bill would expand the program to include grants to cover the costs of International Baccalaureate examinations *only if, and to the extent that, funds are specifically appropriated for that purpose*.

Existing law requires the Superintendent of Public Instruction to annually allocate to each school district up to \$25,000 for each high school and middle school in the district that offers an International Baccalaureate Program. Existing law requires this allocation to be used to cover the ongoing costs of professional development required by the program and to help pay the test fees for low- and middle-income pupils in need of financial assistance. Existing law requires the Superintendent of Public Instruction to allocate up to \$15,000 from funds appropriated for that purpose to each school that is awarded a grant to start up an International Baccalaureate Program and gives priority to high schools that have the highest percentage of pupils from low-income families and to high schools that are awarded affiliate status from the International Baccalaureate Organization.

This bill would delete the start-up grant program and provide for annual apportionments of \$25,000 for authorized programs. The bill would require an equal proration of apportionments if funds are insufficient to fully fund all authorized programs and would require that funding to supplement, but not supplant, existing local efforts to provide an authorized program.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 52241 of the Education Code is
2 amended to read:

3 52241. For purposes of this chapter, the following terms have
4 the following meanings:

5 (a) “Advanced placement examinations” means the advanced
6 placement examinations conducted by the College Entrance
7 Examination Board, on the basis of which participating
8 institutions of postsecondary education award postsecondary
9 academic credit.

10 (b) “Economically disadvantaged pupil” means a high school
11 pupil who is any one of the following:

12 (1) A pupil who comes from a low-income household. As used
13 in this chapter, “low-income” refers to a household the taxable
14 income of which for the preceding tax year did not exceed 200
15 percent of an amount equal to the poverty level determined by
16 using the criteria of poverty established by the Census Bureau of
17 the United States Department of Commerce. Documentation of a
18 pupil’s low-income status for the purposes of this subdivision shall
19 be made in accordance with the following:

20 (A) In the case of a pupil who is 17 years of age or younger or
21 who is a dependent within the meaning of the federal Internal
22 Revenue Code, a signed financial need statement shall be
23 submitted by the pupil’s parent or legal guardian, along with
24 verification of this financial need from another governmental
25 entity or a photocopy of the most recent federal income tax return
26 filed by the pupil’s parent or legal guardian.

27 (B) In the case of a pupil who is 18 years of age or older or who
28 is not a dependent within the meaning of the federal Internal
29 Revenue Code, a signed financial need statement shall be



submitted by the pupil, along with verification of this financial need from another governmental entity or a photocopy of the most recent federal income tax return filed by the pupil.

(2) A pupil who is eligible for federal free or reduced meal programs.

(3) A pupil who attends a school where at least 75 percent of all pupils enrolled are eligible for federal free or reduced meal programs.

(c) “International baccalaureate examinations” means the international baccalaureate examinations conducted by the International Baccalaureate Organization, on the basis of which participating institutions of postsecondary education award postsecondary academic credit.

SEC. 2. Section 52242 of the Education Code is amended to read:

52242. Notwithstanding any other provision of law, a school district receiving funds pursuant to Chapter 1 (commencing with Section 54000) of Part 29 may expend any portion of those funds to pay for all or part of the costs of one or more advanced placement or international baccalaureate examinations that are charged to economically disadvantaged pupils.

SEC. 3. Section 52244 of the Education Code is amended to read:

52244. (a) There is hereby established a pilot grant program for the purpose of awarding grants to cover the costs of advanced placement or international baccalaureate examination fees. The State Department of Education shall administer this program.

(b) Any school district may apply to the State Department of Education for grant funding pursuant to this section, based on the number of economically disadvantaged pupils in the district enrolled in advanced placement or international baccalaureate courses who will take the next offered advanced placement or international baccalaureate examinations. A school district that applies to the State Department of Education for this purpose shall designate school district staff to whom pupils may submit applications for grants and shall institute a plan to notify pupils of the availability of financial assistance pursuant to this section. Grants shall be expended only to pay the fees required of pupils to take an advanced placement or international baccalaureate examination.

(c) Any economically disadvantaged pupil who is enrolled in an advanced placement or international baccalaureate course may apply to the designated school district staff for a grant pursuant to this section. A pupil who receives a grant shall pay five dollars (\$5) of the examination fee.

(d) School districts and county superintendents of schools may join together and form collaboratives or consortia in order to participate in the grant program established by this section.

(e) Grants provided pursuant to this section shall not be used to supplant fee waivers available to low-income pupils who take advanced placement or international baccalaureate examinations.

(f) If the total school district applications exceed the total funds available pursuant to this section, the State Department of Education shall prorate the grants based upon the ratio of the total amount requested to the total amount budgeted by the state for this purpose.

(g) *The State Department of Education shall only award grants to cover the costs of international baccalaureate examination fees pursuant to this section if, and to the extent that, funds are specifically appropriated for the purpose in the annual Budget Act or other legislation.*

(h) To facilitate program administration and school district reimbursement, the State Department of Education may enter into a contract with the providers of advanced placement or international baccalaureate examinations. For purposes of the contract authorized pursuant to this subdivision, the State Department of Education is exempt from the requirements of Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code and from the requirements of Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code.

~~(h)~~

(i) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.

SEC. 4. Section 52922 of the Education Code is amended to read:

52922. (a) From funds appropriated for the purpose of this chapter, the Superintendent of Public Instruction shall annually apportion to each school district, on behalf of each authorized

1 International Baccalaureate Diploma Program and International
2 Baccalaureate Middle Years Program operating at one or more of
3 the public high school or middle school within the district, the
4 amount of twenty-five thousand dollars (\$25,000) for each
5 authorized International Baccalaureate Program to cover the
6 ongoing costs of professional development required by the
7 program and to help pay the test fees for low- and middle-income
8 pupils in need of financial assistance, in accordance with criteria
9 adopted by the Superintendent of Public Instruction.

10 (b) The amounts provided in subdivision (a) shall be increased
11 annually by a cost-of-living adjustment, based on the same
12 percentage increase that is provided to the revenue limits of unified
13 school districts with 2,501 or more units of average daily
14 attendance.

15 (c) The total amount apportioned pursuant to subdivision (a)
16 shall not exceed the total amount of the funds appropriated for
17 those purposes in the annual Budget Act or any other statute. If
18 funds are insufficient to fully fund all authorized International
19 Baccalaureate Programs, annual apportionments shall be prorated
20 equally.

21 (d) Funds appropriated for the purposes of this chapter shall
22 supplement, and not supplant, existing local efforts to provide an
23 authorized International Baccalaureate Diploma Program or an
24 International Baccalaureate Middle Years Program.

